

4/13/20

**ARBR Bi-weekly**

**Judicial Cases**

Case	Referral date	Tolling agmt	Status/Next Steps
Ameren Chen Hertz Wu Knodel Hanlon			<p>-Remedy decision issued September 30, 2019. Judge ordered Ameren to 1) apply for PSD permit with wet FGD, 2) meet 0.05 rate at RI, and 3) mitigate excess emissions at Labadie using DSI or better.</p> <p>-Ameren filed motion to stay injunction – Sippel granted in part, denied in part.</p> <p>-Ameren filed motion to change the deadlines in the order (DSI @Labadie). Sippel denied without prejudice, thereby allowing Ameren to re-file motion later in time.</p> <p>-Ameren brief filed with 8<sup>th</sup> Circuit on January 23. US brief filed March 27. Deadline for Ameren’s reply brief extended to May 20.</p> <p><b>Ex. 5 AWP / Ex. 7(A)</b></p> <p>-Amicus brief filed 1/30 by Chamber of Commerce, America’s Power, etc.</p> <p><b>Ex. 5 AWP / Ex. 7(A)</b></p> <p>-DOJ filed Notice with District Court on 2/5, alleging that Ameren did not comply with Judge Sippel’s remedy order, i.e., they did not file a PSD permit application. DOJ and Ameren held meet and confer on March 23, still working on mutually agreeable status report. Status report on meet-and-confer filed on 4/3.</p>
HollyFrontier* Murray Mills Peterson Hensley	12/28/15	Ex. 5 AWP / Ex. 7(A)	<p>-HF CD signature page received 3/26/20. R7 has signed as of 3/30.</p> <p><b>Ex. 5 AWP / Ex. 7(A)</b></p>

Case	Referral date	Tolling agmt	Status/Next Steps
<b>Ex. 5 AWP / Ex. 7(A)</b>			

Case	Referral date	Tolling agmt	Status/Next Steps
Lehigh Murray Terriquez	5/2016		-Lehigh, EPA and states signed the CD -CD lodged on 12/3. Eight public comments received regarding California and Pennsylvania facilities from citizens and enviros. Comment period closed February 10. <div>Ex. 5 AWP / Ex. 7(A)</div>
Ex. 5 AWP / Ex. 7(A)			

Admin Cases

Case	Inspection date	Status/Next Steps
Ex. 5 AWP / Ex. 7(A)		

Case	Inspection date	Status/Next Steps
<b>Ex. 5 AWP / Ex. 7(A)</b>		

Case	Inspection date	Status/Next Steps
<b>Ex. 5 AWP / Ex. 7(A)</b>		
Edwards Fiberglass & Repair – Sedalia, MO	Oct. 3, 2019	<b>Ex. 5 AWP / Ex. 7(A)</b> -CAFO signed 3/10/20.
<b>Ex. 5 AWP / Ex. 7(A)</b>		

Case	Inspection date	Status/Next Steps
Other Potential Matters		
<b>Ex. 5 AWP / Ex. 7(A)</b>		
<ul style="list-style-type: none"> <li>✓ <u>Columbian Chemical</u> – force majeure request <ul style="list-style-type: none"> <li>○ On March 16 and 24, Columbian (Birla Carbon) provided letter with an anticipated non-compliance with a CD due to force majeure related to COVID-19. We are coordinating with KDHE, R6, OECA and DOJ on response</li> </ul> </li> </ul>		
<b>Ex. 5 AWP / Ex. 7(A)</b>		
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#### Air Counseling

**Ex. 5 Deliberative Process (DP)**

- MO-405: final/signed 3/31
- MO-409 (Portland cement kilns): signed 3/31
- NE-101 (Lincoln-Lancaster/authority to issue PSD): 2 comments received, not adverse. Being finalized.

## Ex. 5 AC/AWP/DP

- Comment letter went to Missouri by 4/2 regarding rule revisions on (MO) public notice:
  - 10 CSR 10-2.330 Control of Gasoline Reid Vapor Pressure;
  - 10 CSR 10-5.390 Control of Emissions From the Manufacture of Paints, Varnishes, Lacquers, Enamels, and Other Allied Surface Coating Products;
  - 10 CSR 10-6.061 Construction Permit Exemptions;
  - 10 CSR 10-6.270 Acid Rain Source Permits Required; and
  - 10 CSR 10-6.405 Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating

Ex. 5 Deliberative Process (DP) (2015 ozone transport iSIP)

- public comment period closed;

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

- NE Title 115 and 129 issues

Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

- Muscatine SSM (also has SO2 issues):

Ex. 5 WP / Ex. 5 DP

**Ex. 5 WP / Ex. 5 DP**

**Ex. 5 WP / Ex. 5 DP**

**Ex. 5 WP / Ex. 5 DP**

- Jefferson Co. redesignation:

**Ex. 5 AC / Ex. 5 WP / Ex. 5 DP**

**Ex. 5 AC / Ex. 5 WP / Ex. 5 DP**

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**Ex. 5 AC / Ex. 5 WP / Ex. 5 DP**

- Nebraska 2015 ozone i-SIP:

**Ex. 5 Deliberative Process (DP)**

- PM2.5 precursors definition and App W for iSIPs; addressing public comment

- Round 4 SO2 designations – December 2020.

**Ex. 5 AC / Ex. 5 WP / Ex. 5 DP**

**Ex. 5 AC / Ex. 5 WP / Ex. 5 DP**



- Jackson Co./Wyandotte County notice to draft CDD and re-designation for SO2 (from unclassifiable to unclassifiable/attainment).

**Ex. 5 Deliberative Process (DP)**

- Ethanol SIPs

Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

- Regional haze:

Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

## FOIA

### Other Matters

- ADM CD termination (Jonathan), Ash Grove CD termination (Dana)

**Ex. 5 WP / Ex. 5 DP**

- Teva Pharmaceuticals: notice of ceasing Mexico, MO operations; Company has requested CD termination per 12/17/19 letter.

**Ex. 5 WP / Ex. 5 DP**

- Records: shared drive transition; records dispositions
- CAMPS

**Ex. 5 WP / Ex. 5 DP**

